

MAY 03 2002

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**DECLARATION AND POWER OF  
ATTORNEY FOR UTILITY OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted with Initial Filing

Declaration Submitted after Initial Filing

Attorney Docket No.	N1305-022
First Named Inventor	Michael Edwin KUEHN
COMPLETE IF KNOWN	
Application Number	10/038,100
Filing Date	January 3, 2002
Group Art Unit	1632
Examiner Name	To Be Assigned

As a below named inventor, we hereby declare that:

My residence, mailing address, and citizenship are as stated below next to name.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: "INBRED TOMATO LINE 294", the specification of which was filed in the U.S. Patent and Trademark Office on January 3, 2002, having Application Serial No. 10/038,100.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES      NO
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

WE hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

We hereby appoint the registered practitioner(s) associated with Customer No. 6449 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Direct all correspondence to Customer Number 6449.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Michael Edwin			Family Name or Surname KUEHN	
Inventor's Signature			Date	
Residence: City Esparto	State California	Country U.S.	Citizenship U.S.	
Mailing Address 25757 County Road 21A				
Mailing Address				
City Esparto	State California	Zip 95627	Country U.S.	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Court			Family Name or Surname Nichols	
Inventor's Signature	<i>Courtland S. Nichols</i>		Date April 18, 2002	
Residence: City Hollister	State California	Country U.S.	Citizenship U.S.	
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Mailing Address				
City Hollister	State California	Zip 95023	Country U.S.	

NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Michael Edwin			Family Name or Surname KUEHN	
Inventor's Signature 		Date 4/22/02		
Residence: City Esparto	State California	Country U.S.	Citizenship U.S.	
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City Esparto	State California	Zip 95627	Country U.S.	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Court			Family Name or Surname Nichols	
Inventor's Signature			Date	
Residence: City Hollister	State California	Country U.S.	Citizenship U.S.	
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